

1 MICHAEL N. FEUER, City Attorney, SBN 111529

MARY CLARE MOLITOR, Chief, Criminal and Special Litigation Branch, SBN 82404

2 JONATHAN CRISTALL, Assistant City Attorney, SBN 191935

3 KIMBERLY A. ERICKSON, Deputy City Attorney, SBN 213844

200 North Main Street, City Hall East, Room 966

4 Los Angeles, California 90012

Telephone: (213) 978-4090

5 Fax: (213) 978-8717

6 E-Mail: kimberly.erickson@lacity.org

7 Attorneys for Plaintiff

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Superior Court of California
County of Los Angeles

JUN 22 2016

Sherri R. Carter, executive Office/Clerk

By: , Deputy
Ishayla Chambers

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

11 THE PEOPLE OF THE STATE OF CALIFORNIA,)

12 Plaintiff,

13 vs.

14 DARWIN TROY HUDSON, an individual; ETHEL B.
15 SIMMONS, an individual; and Does 1 through 50,
16 inclusive,

17 Defendants.
18
19

CASE NO.: BC 6 2 4 5 4 5

**COMPLAINT FOR ABATEMENT
AND INJUNCTION**

[HEALTH & SAFETY CODE
SECTION 11570, ET SEQ.; CIVIL
CODE SECTION 3479, ET SEQ.]

(Unlimited Action)

20
21 PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

22 **I. INTRODUCTION**

23 1. This action ("Action") is brought and prosecuted by Plaintiff, the People of the
24 State of California ("People"), for the purpose of abating, preventing and enjoining a long-
25 standing gang and narcotics-related public nuisance which exists at a fourplex located in South
26 Los Angeles, with addresses commonly known as 5700, 5704, 5708 and 5710 South Budlong
27 Ave., Los Angeles, California 90037 (the "Property").¹ This Action is brought pursuant to the
28

¹ All four addresses are listed under one Assessor's Parcel Number ("APN") 5002-017-001.

1 Narcotics Abatement Law ("NAL"), California Health and Safety Code section 11570, *et seq.*
2 and the Public Nuisance Law ("PNL"), California Civil Code sections 3479-3480, *et seq.*

3 2. For at least the past six years, the Property has been controlled and used by
4 members of the 57 Neighborhood Crips ("57 NHC") criminal street gang to conduct illegal
5 narcotics sales. The 57 NHC has approximately 40 active members who control the 57th
6 Street block between Normandie and Vermont Avenues to the west and east and 56th and
7 58th Streets to the north and south.

8 3. Currently, the 57 NHC gang members and associates exert control over the
9 Property by maintaining a constant presence there while conducting a walk-up street narcotic
10 sales business. They congregate in front of the garage of the Property and stash the narcotics
11 in the garage, as well as in a water heater room next to the garage. They loiter on the stairwell
12 next to the garage, and in vehicles parked in front of the Property where they sell rock cocaine,
13 smoke marijuana, consume alcohol and play loud music at all hours of the day and night.
14 Additionally, 57 NHC gang members "tag up" the area around the Property with their graffiti as
15 a blatant sign of their claimed ownership and control of that block and area. While users come
16 to the Property to purchase narcotics such as rock cocaine, suppliers visit the Property to
17 deliver narcotics for sale.

18 4. The 57 NHC gang members who run the narcotics operation at the Property
19 employ drug users in the neighborhood to act as "hooks" for them. A "hook" is a street-level,
20 front line connection to suspected narcotics dealers and is used to connect narcotics buyers to
21 suspected dealers in return for some compensation, such as narcotics. The hooks also act to
22 vet or verify that the buyer is not a police informant in order to shield the dealers from arrest
23 and ultimately prosecution.

24 5. Given the historical and ongoing nuisance activity, the Property has a well-known
25 reputation within the Los Angeles Police Department ("LAPD"), as well as within the
26 surrounding community, as a prominent narcotics sales location and crime center where 57
27 NHC gang members loiter on a daily basis. Drug dealers stand in front of the open garage at
28 the Property and sell narcotics like it is an all-hours open-air drug bazaar. In fact, over the last

1 nine months alone there have been at least 12 documented narcotic-related incidents at the
2 Property, including 10 LAPD narcotics investigations.

3 6. The blatant gang and narcotics activity occurs perilously close to John Muir
4 Middle School, which is approximately 1,000 feet from the Property and Budlong Avenue
5 Elementary School, which is located approximately 800 feet from the Property.

6 7. The Property has been left vulnerable to gang members through neglect by both
7 the current owner, Defendant DARWIN TROY HUDSON ("Defendant" or "HUDSON") and the
8 prior owner, ETHEL B. SIMMONS ("Defendant" or "SIMMONS"). This laxity by HUDSON and
9 SIMMONS has intensified 57 NHC's grip on the block by allowing the gang to permeate the
10 Property, which is particularly hospitable and conducive to the gang's commercial operations.
11 Street gangs in Los Angeles are inherently and fundamentally territorial and they *need* certain
12 areas within their turf to exploit so that they can carry on their illegal activities unrestrained.
13 Properties that are ripe for exploitation by street gangs include those that are not well
14 managed or are less physically fortified, have gang "friendlies" or gang members living at the
15 property, and so on. By ignoring the problem, these properties evolve into serious gang-
16 related crime centers and nuisance locations, such as the Property that is the subject of this
17 Action.

18 II. GENERAL ALLEGATIONS

19 A. Plaintiff

20 8. Plaintiff, the People, is the sovereign power of the State of California designated
21 in Health and Safety Code section 11571 and Code of Civil Procedure section 731 to be the
22 complaining party in actions brought to abate, enjoin, and penalize public nuisances.

23 B. The Defendants

24 9. The Property was owned by Defendant SIMMONS, an 85 year-old woman, for
25 over fifty years, from August 9, 1962 to March 3, 2016 when she quitclaimed the Property to
26 the current owner, Defendant HUDSON, an individual. It is unclear what, if any, relationship
27 exists between Defendants HUDSON and SIMMONS, however, the quitclaim deed indicates
28 that the conveyance was "given for no value." Based on information and belief, Defendant

1 HUDSON resides at the Property and has turned a blind eye to the illegal narcotics activity at
2 the Property since his ownership began on March 3, 2016. Within this three month period
3 there have been two controlled narcotics buy operations conducted by law enforcement at the
4 Property. Defendant SIMMONS owned the Property during the majority of the time that the
5 illegal narcotics activity has been occurring, and based on information and belief, has lived at
6 the Property during the entirety of this nuisance period. Furthermore, based on information
7 and belief, Defendant SIMMONS' son, Wayne Simmons, currently resides at the Property and
8 has himself actively engaged in narcotics activity at the Property, selling to non-confidential
9 informants during a nine-month narcotics investigation.

10 10. At all times mentioned herein, Defendants HUDSON and SIMMONS have acted
11 in the capacity of owner and/or lessor of the Property. Under his ownership, Defendant
12 HUDSON has directly or indirectly permitted individuals to rent and/or live at the Property
13 and/or access it for illegal and unlawful purposes, including narcotics trafficking. Defendant
14 SIMMONS, during her ownership for the majority of the nuisance period, has been either
15 unwilling or unable to control the blatant narcotics activity at the Property. Plaintiff is informed
16 and believes and thereon alleges that Defendants HUDSON and SIMMONS, by allowing the
17 sales of narcotics at the Property, and by creating and/or contributing to an unsafe atmosphere
18 throughout the entire neighborhood, are directly and/or indirectly responsible for conducting
19 and maintaining the nuisance as alleged herein, thereby violating the Narcotics Abatement
20 Law and the Public Nuisance Law.

21 11. The true names and capacities of defendants sued herein as Does 1 through 50,
22 inclusive, are unknown to Plaintiff, who therefore sues said defendants by such fictitious
23 names pursuant to Section 474 of the California Code of Civil Procedure. Plaintiff alleges on
24 information and belief that each such Defendant is responsible in some manner for conducting,
25 maintaining, or directly or indirectly permitting the nuisance complained of herein. When the
26 true names and capacities of said defendants have been ascertained, Plaintiff will seek leave
27 of Court to amend this complaint and to insert in lieu of such fictitious names the true names
28 and capacities of said fictitiously named Defendants.

12. Plaintiff is informed and believes, and thereon alleges, that at all times herein mentioned, Defendants HUDSON and SIMMONS, and DOES 1 through 50, had or should have had knowledge of the nuisance and unlawful acts herein complained of, have wholly failed to abate the same, and have directly or indirectly maintained or permitted the nuisance described herein. At all relevant times mentioned herein, Defendants HUDSON and SIMMONS and all Defendants sued as DOE Defendants were and are agents, lessors, lessees, servants, employees, partners and/or joint venturers of each other Defendant, and at all times were acting within the course and scope of said relationship and with the consent of each of their co-Defendants.

C. The Property

13. The Property is a fourplex located at the commonly known addresses of 5700, 5704, 5708 and 5710 South Budlong Ave., Los Angeles, California 90037. The Property's legal description is "the following described real property located in the City of Los Angeles County of Los Angeles State of California, and more particularly described as follows: Lot 147 of the Westerly Tract, as per map recorded in Book 76, page 40 of Maps, in the office of the County Recorder of said county Property Commonly Known As: 5700, 5704, 5708, 5710 South Budlong Ave., Los Angeles, CA 90037", with APN 5002-017-001.

III. THE NARCOTICS ABATEMENT LAW

14. The abatement of a nuisance is a long established and well-recognized exercise of the state's police power. (*People v. Barbieri* (1917) 33 Cal.App. 770, 775; *People ex rel. Hicks v. Sarong Gals* (1974) 42 Cal.App.3d 556, 563.) Since its enactment in 1972, the principal purpose of the NAL (Health & Saf. Code, § 11570, *et seq.*) is the abatement of buildings and places "used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, or giving away any controlled substance, precursor, or analog specified in this division" (Health & Saf. Code, § 11570).

15. The NAL provides that every building or place used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, or giving away any controlled substance, precursor, or analog *inter alia*, "is a nuisance which **shall** be enjoined, abated, and

1 prevented . . . whether it is a public or private nuisance.” (Health & Saf. Code, § 11570
2 (emphasis added); *People ex rel Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1389; *Lew v.*
3 *Superior Court* (1993) 20 Cal.App.4th 866, 870-871.)

4 16. Health and Safety Code section 11571 authorizes a city attorney to bring an
5 action to abate, prevent and perpetually enjoin such nuisances. It provides in relevant part:
6 “Whenever there is reason to believe that a nuisance as described in Section 11570 is kept,
7 maintained, or exists in any county, the district attorney of the county, or the city attorney of
8 any incorporated city or of any city and county, in the name of the people, may . . . maintain an
9 action to abate and prevent the nuisance and perpetually to enjoin the person conducting or
10 maintaining it, and the owner, lessee, or agent of the building or place in or upon which the
11 nuisance exists from directly or indirectly maintaining or permitting the nuisance.”

12 17. Health and Safety Code section 11573(a) provides that: “If the existence of the
13 nuisance is shown in the action to the satisfaction of the court or judge, either by verified
14 complaint or affidavit, the court or judge **shall** allow a temporary restraining order or injunction
15 to abate and prevent the continuance or recurrence of the nuisance.” (Emphasis added.) In
16 addition, Health and Safety Code section 11581 provides, as an additional remedy, for the
17 removal and sale of all fixtures and movable property on the premises used in aiding or
18 abetting the nuisance and for the closure of the building for up to one year.

19 **IV. THE PUBLIC NUISANCE LAW**

20 18. The Public Nuisance Law (“PNL”), Civil Code section 3479, defines a public
21 nuisance as “[a]nything which is injurious to health, including, but not limited to, the illegal sale
22 of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free
23 use of property, so as to interfere with the comfortable enjoyment of life or property...”. (See
24 *City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 99 (“The Legislature has defined in general
25 terms the word ‘nuisance’ in Civil Code section 3479...”).

26 19. Civil Code section 3480 defines a public nuisance as “one which affects at the
27 same time an entire community or neighborhood, or any considerable number of persons,
28 although the extent of the annoyance or damage inflicted upon individuals may be unequal.”

1 20. In particular, gang activity, such as drug dealing, loitering, consumption of alcohol
2 and illegal drugs, and boisterous conduct which creates a "hooligan-like atmosphere"
3 constitutes a public nuisance. (*People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090, 1120.)
4 Furthermore, case law is "replete with examples" of the "threat violent street gangs ... pose to
5 the safety of peaceful Californians." (*Castaneda v. Olsher* (2007) 41 Cal.4th 1205, 1216.) In
6 a case involving gang-related gunfire, the California Supreme Court explicitly recognized that
7 "[s]treet gang activity can often subject" innocent bystanders "to unacceptable levels of risk."
8 (*Id.*) In *Medina v. Hillshore Partners* (1995) 40 Cal.App.4th 477, 486, involving a wrongful
9 death claim by the mother of a young man shot by gang members at an apartment complex,
10 the Court said, "We agree that the congregation of gangs poses a foreseeable risk of harm to
11 the public." In particular, the whole spectrum of typical street gang conduct, ranging from
12 loitering, to public drinking and boisterousness, to drug dealing, to gunfire, has been held to
13 "easily meet the statutory standard" for a public nuisance under Civil Code section 3479.
14 (*People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090, 1120.)

15 21. Civil Code section 3491 provides for the methods by which public nuisances,
16 such as those alleged herein, may be abated. Civil Code section 3491 states that the
17 "remedies against a public nuisance are indictment or information, a civil action or abatement."
18 Abatement is "accomplished by a court of equity by means of an injunction proper and suitable
19 to the facts of each case." (*Sullivan v. Royer* (1887) 72 Cal. 248, 249; see also *People v.*
20 *Selby Smelting and Lead Co.* (1912) 163 Cal.84, 90 ("[I]n California, the rule is well established
21 that in proper cases injunctive relief which accomplishes the purposes of abatement without its
22 harsh features is permissible.")).

23 22. Code of Civil Procedure section 731 authorizes a city attorney to bring an action
24 to enjoin or abate a public nuisance. It provides, in relevant part, "[a] civil action may be
25 brought in the name of the people of the State of California to abate a public nuisance . . . by
26 the city attorney of any town or city in which such nuisance exists."

27 23. Where "a building or other property is so used as to make it a nuisance under the
28 statute, the nuisance may be abated . . . , notwithstanding that the owner had no knowledge

1 that it was used for the unlawful purpose constituting a nuisance.” (*People ex rel. Bradford v.*
2 *Barbiere* (1917) 33 Cal.App. 770, 779; *see also Sturges v. Charles L. Harney, Inc.* (1958) 165
3 Cal.App.2d 306, 318 (“a nuisance and liability therefore may exist without negligence”); *People*
4 *v. McCadden* (1920) 48 Cal.App. 790, 792 (“A judgment supported on findings that such
5 nuisance was conducted and maintained on the premises in question, regardless of the
6 knowledge of the owner thereof, is sufficient. Such knowledge on the part of the owner . . . is
7 unnecessary.”); *People v. Peterson* (1920) 45 Cal.App. 457, 460 (“[I]t was not necessary . . .
8 for the trial court to find either, that the [defendants] threatened, and unless restrained, would
9 continue to maintain, aid, and abet, the nuisance, or that they knew the building was used in
10 violation of the act. . . . The existence of the nuisance was the ultimate fact in this case, and
11 having been found, supports the judgment”). This is because “the object of the act is not to
12 punish; its purpose is to effect a reformation of the property itself.” (*People v. Bayside Land*
13 *Co.* (1920) 48 Cal.App. 257, 261.)

14 **V. FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT**

15 **[Health and Safety Code Section 11570, *et seq.*--**

16 **Against All Defendants and DOES 1 through 50]**

17 24. Plaintiff hereby incorporates by reference paragraphs 1 through 23 of this
18 Complaint and makes them part of the First Cause of Action, as if fully set forth herein.

19 25. The Property has been, from an exact date unknown, but since at least the past
20 six years until the present time, used for the purposes of unlawfully selling, serving, storing,
21 keeping, manufacturing or giving away controlled substances in violation of Health and Safety
22 Code section 11570, *et seq.*

23 26. Defendants, and DOES 1 through 50, are responsible for conducting,
24 maintaining, and/or directly permitting the nuisance as alleged herein. Plaintiff has no plain,
25 speedy and adequate remedy at law, and unless Defendants and DOES 1 through 50 are
26 restrained and enjoined by order of this Court, they will continue to use, occupy and maintain,
27 and/or aid, abet or permit, directly or indirectly, the use, occupation and maintenance of the
28 Property, together with the fixtures and appurtenances located therein, for the nuisance

1 complained of herein, to the great and irreparable damage of the public and in violation of
2 California law.

3 **VI. SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE**

4 **[Civil Code section 3479, *et seq.*--**

5 **Against Defendants and DOES 1 through 50]**

6 27. Plaintiff hereby incorporates by reference Paragraphs 1 through 26 of this
7 Complaint and makes them part of this Second Cause of Action as though fully set forth
8 herein.

9 28. For at least the past six years, through the present time, the Property has been
10 owned, operated, occupied, used, and/or directly or indirectly permitted to be occupied and
11 used, in such a manner as to constitute a public nuisance in violation of Civil Code sections
12 3479 and 3480. The public nuisance, as described herein, is injurious to health, indecent or
13 offensive to the senses, and/or an obstruction to the free use of property, so as to substantially
14 and unreasonably interfere with the comfortable enjoyment of life or property by those persons
15 living in the surrounding community. The public nuisance consists of, but is not limited to, the
16 constant, menacing, intimidating, violent and disorderly presence of 57 NHC gang members
17 and/or associates at the Property who openly and brazenly sell narcotics, loiter in front of the
18 Property on foot or in vehicles and smoke marijuana, consume alcohol and play loud music at
19 all hours of the day and night. The 57 NHC members' continuous presence at and in front of
20 the Property only makes them targets of drive-by shootings by rival gang members at the
21 expense of innocent victims who may get caught in the gangs' crosshairs.

22 29. Defendants, and DOES 1 through 50, in owning, conducting, maintaining, and/or
23 permitting the use of the Property, directly or indirectly, as a public nuisance, have engaged in
24 wrongful conduct and caused a serious threat to the general health, safety and welfare of the
25 law-abiding persons in the area surrounding the Property.

26 30. Unless Defendants, and DOES 1 through 50, are restrained and enjoined by
27 order of this Court, they will continue to use, occupy and maintain, and to aid, abet or permit,
28 directly or indirectly, the use, occupation, and maintenance of the Property, together with the

1 fixtures and appurtenances located therein, for the purpose complained of herein, to the great
2 and irreparable damage of Plaintiff and in violation of California law.

3 **PRAYER**

4 **WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND**
5 **DECREE AS FOLLOWS:**

6 **AS TO THE FIRST CAUSE OF ACTION**

7 1. That Defendants, DARWIN TROY HUDSON and ETHEL B. SIMMONS, DOES 1
8 through 50, and the Property, be declared in violation of Health and Safety Code section
9 11570, *et seq.*

10 2. That the Property, together with the fixtures and moveable property therein and
11 thereon, be found to constitute a public nuisance and be permanently abated as such in
12 accordance with Section 11581 of the California Health and Safety Code.

13 3. That the Court grant a preliminary injunction, permanent injunction and order of
14 abatement in accordance with Section 11570, *et. seq.* of the California Health and Safety
15 Code, enjoining and restraining each Defendant and their agents, officers, employees and
16 anyone acting on their behalf, from unlawfully selling, serving, storing, keeping, manufacturing,
17 or giving away controlled substances on the Property, and/or directly or indirectly maintaining
18 or permitting such nuisance activity.

19 4. That the court order physical and managerial improvements to the Property in
20 accordance with Health and Safety Code section 11573.5, and such orders as are otherwise
21 appropriate, to remedy the nuisance on the Property and enhance the abatement process,
22 including but not limited to, the following: improved lighting; improved tenant screening and
23 lease enforcement procedures; strict limitations on who may be present on the Property at all
24 times and prohibiting known gang members and narcotics users and dealers from accessing
25 the Property.

26 5. That as part of the Judgment, an Order of Abatement be issued, and that the
27 Property be closed for a period of one year, not to be used for any purpose, and be under the
28 control and custody of this Court for said period of time; or, in the alternative, if the Court

1 deems such closure to be unduly harmful to the community, that Defendants, and DOES 1
2 through 50, pay an amount of damages equal to the fair market rental value of the Property for
3 one year to the City or County in whose jurisdiction the nuisance is located in accordance with
4 Health and Safety Code section 11581 subdivision (c)(1).

5 6. That each Defendant and Does 1-50 each be assessed a civil penalty in an
6 amount not to exceed twenty-five thousand dollars (\$25,000.00) each.

7 7. That all fixtures and moveable property used in conducting, maintaining, aiding or
8 abetting the nuisance at the Property be removed by the LAPD and sold in the manner
9 provided for the sale of chattels under execution. Said fixtures and property shall be
10 inventoried and a list prepared and filed with this court.

11 8. That there shall be excepted from said sale, such property to which title is
12 established in some third party not a defendant, nor agent, officer, employee or servant of any
13 defendant in this proceeding.

14 9. That the proceeds from said sale be deposited with this court for payment of the
15 fees and costs of sale. Such costs may occur in closing said Property and keeping it closed,
16 removal of said property, and Plaintiff's costs in the Action, including attorneys' fees, and such
17 other costs as the Court shall deem proper.

18 10. That if the proceeds of the sale do not fully discharge all such costs, fees and
19 allowances, the Property shall also be sold under execution issued upon the order of the court
20 or judge and the proceeds of such sale shall be applied in a like manner. That any excess
21 monies remaining after payment of approved costs shall be delivered to the owner of said
22 Property. Ownership shall be established to the satisfaction of this court.

23 11. That Defendants, DOES 1 through 50, and any agents, trustees, officers,
24 employees and anyone acting on their behalf, and their heirs and assignees, be perpetually
25 enjoined from transferring, conveying, or encumbering any portion of the Property, for
26 consideration or otherwise, without first obtaining the Court's prior approval.

27 12. That Defendants, and DOES 1 through 50, be ordered to immediately notify any
28 transferees, purchasers, commercial lessees, or other successors in interest to the subject

Property of the existence and application of any temporary restraining order, preliminary injunction, or permanent injunction to all prospective transferees, purchasers, commercial lessees, or other successors in interest, *before* entering into any agreement to sell, lease or transfer the Property, for consideration or otherwise, all or any portion of the Property that is the subject of this Action.

13. That Defendants, and DOES 1 through 50, be ordered to immediately give a complete, legible copy of any temporary restraining order and preliminary and permanent injunctions to all prospective transferees, purchasers, lessees, or other successors in interest to the Property.

14. That Defendant, and DOES 1 through 50, be ordered to immediately request and procure signatures from all prospective transferees, purchasers, lessees, or other successors in interest to the subject Property, which acknowledges his/her respective receipt of a complete, legible copy of any temporary restraining order, preliminary and permanent injunction, and deliver a copy of such acknowledgment to the Los Angeles City Attorney's Office, c/o Deputy City Attorney Kim Erickson or her designee.

15. That Plaintiff recover the costs of this action, including law enforcement investigative costs and any fees, including attorneys' fees, authorized by law, not to exceed \$1,000,000.00, from Defendants and DOES 1 through 50.

AS TO THE SECOND CAUSE OF ACTION

1. That Defendants DARWIN TROY HUDSON and ETHEL B. SIMMONS be declared in violation of Civil Code section 3479, *et seq.*

2. That the Property, together with the fixtures and moveable property therein and thereon, be declared a public nuisance and be permanently abated as such in accordance with Civil Code section 3491.

3. That Defendants DARWIN TROY HUDSON and ETHEL B. SIMMONS and their agents, members, officers, managers, employees and anyone acting on their behalf, and their heirs and assignees, be preliminarily and perpetually enjoined from operating, conducting, using, occupying, or in any way permitting the use of the Property as a public nuisance. Such

orders should include, but not be limited to physical and managerial improvements to the Property, and such other orders as are appropriate to remedy the nuisance on the Property and enhance the abatement process.

4. That as part of the Judgment, an Order of Abatement be issued, and that the Property be closed for a period of one year, not to be used for any purpose, and be under the control and custody of this Court for said period of time.

5. Such costs as may occur in abating said nuisance at the Property and such other costs as the Court shall deem just and proper.

6. That Plaintiff be granted such other and further relief as the Court deems just and proper, including demolition of the Property.

AS TO ALL CAUSES OF ACTION


1. That Plaintiff recover the amount of the filing fees and the amount of the fee for the service of process or notices which would have been paid but for Government Code section 6103.5, designating it as such. The fees may, at the Court's discretion, include the amount of the fees for certifying and preparing transcripts.

2. That Plaintiff be granted such other and further relief as the Court deems just and proper.

DATED: June 20, 2016

Respectfully submitted,

MICHAEL N. FEUER, City Attorney
JONATHAN CRISTALL, Assistant City Attorney

By: 
KIMBERLY A. ERICKSON, Deputy City Attorney
Attorneys for Plaintiff, THE PEOPLE OF THE
THE STATE OF CALIFORNIA